

Merky  
me & Gaudet met  
w/ Galo & Kinser &  
new lady on this.  
Wright to do HHS  
ASAP, PIRA & CDC  
RERT (Kaiser) starting  
on 8/20/13 under  
C. Gaudet



RECORD OF COMMUNICATION		<input type="checkbox"/> PHONE CALL <input type="checkbox"/> DISCUS <input type="checkbox"/> OTHER (SPECIFY)		<input type="checkbox"/> FIELD TRIP <input checked="" type="checkbox"/> CONFERENCE
(Record of item checked above)				
TO: Bill Rice, RGAD ENSV Karen Flournoy PERM Ted Goetz author Dave Crawford SCOM Feemore ARTX Dave Wagoner WSTM Mike Sanderson RCRA		FROM: Ralph Langemeier, WATR WATR ARTX/ARBR Rowena Micheals ARTX Dave Tripp CNSL Ron Ritter Tim Andersen WATR		DATE 8/26/85 PBAF CFGL
SUBJECT: Vulcan Materials Co.; Wichita, Ks.				
SUMMARY OF COMMUNICATION				
<p>A workgroup has been set up by Deputy Director Rice on this site. Workgroup has met several times; this was the 1st meeting attended by the author (Crawford). Attached is meeting agenda with some notes on it that I took during <b>this meeting</b>. DD said that he would be having weekly meetings on this site at 1:30 PM on Mondays for some time &amp; wanted workgroup members to attend. Since next Monday is Labor Day the next meeting will be 9/9. Meetings to be in Situation Room unless informed otherwise.</p> <p>After Rice discussed the agenda &amp; purpose of the meeting, Flournoy explained the flow process for the Part B Permit under RCRA. Under RCRA 3004u RCRA could require cleanup of the site for releases (to any media) from any Solid Waste Management Unit (SWMU) by issuing a conditional permit. The other alternative for addressing releases from this site under RCRA would be to issue a corrective action order under 3008h. Third option would be to use 3004b to require corrective actions beyond the facility boundary. At present 3004u appears most probable. Flournoy had indicated estimated schedule would put draft Part B Permit out for public comment in 3rd 1/4 FY 86. Rice said he expected RA would want that schedule compressed somewhat.</p> <p>Major unanswered question is whether or not releases <del>of</del> air of VOA's from pipelines or tanks can be regulated by RCRA as releases from SWMU. HQ has not finalized guidance on this.</p> <p>Air Branch personnel had some discussion as to what <del>CAA</del> <i>Clean Air Act</i> authorities could be used to regulate such releases (VOA's) from tanks pipelines, etc. No real good authority identified. Many air <del>poll</del> program authorities are delegated to KDHE.</p> <p>Option for obtaining necessary data (i.e. what are the VOA concentrations in air offsite that residents might breathe?) could be obtained by issuing 3013 Order (RCRA) &amp; requiring company to collect &amp; analyze air samples. Tripp discussed what level of evidence we would need to issue 3013 Order (e.g. "May present imminent or substantial threat to health or the environment").</p> <p>As general policy Rice indicated EPA was trying to respond to citizen inquiries we had received. (They had a ream of these citizen letters at the meeting I had not seen that other divisions are responding to.) At present want to keep KDHE in lead on this site.</p> <p>Drinking water program was asked (by Rice) to develop position on safety of private wells in vicinity. (Since no public water supplies involved WATR has no legal jurisdiction but need to be able to provide requested technical assistance on requests from citizens.) Use of carbon filters was discussed.</p> <p>Citizens in the area may be doing a rough, anecdotal health study on residents in the area. Rice &amp; others indicated it would be good idea to see if CDC could get involved in this. Need to ask CDC if properly designed epidemiological study of residents would be*</p>				
INFORMATION COPIES TO: <i>Craig Gale Wright</i>		CONTINUED		
Craig Gale Wright Steve Kinser TECH/Bob Morby SPFD/ Ed Skowronski CDC				

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~~FEASIBLE~~

\*feasible & advisable. Wagoner indicated that seldom do epidemiologic studies detect health effects on population as small as this. Nevertheless it was agreed that this needs to be discussed with CDC. Rice did not direct who should make contact with CDC. (Nor did anyone else).

Principal activity on this site over the next few weeks/months will be file review. Both EPA & KDHE files to be reviewed as necessary. Purpose of file review will be to determine what releases (in any media) have occurred from the facility that RCRA should attempt to address under the Part B Permit (or 3008h Order). Each program is to review EPA & KDHE program files to identify releases & to report on this to RCRA/PERM.

*Bureau of Oilfields & Environmental Geology*  
John Mitchell has been identified as coordinator on this facility for KDHE. Apparently this applies to all bureaus, not just BWM. Rice was advised EPA would again need access to BOG files. BOG now reports directly to Sabol, not to Abramson. EPA is to go thru Mitchell for access to any KDHE files (or anything else). If adequate access not granted advise Rice, who will ask RA to discuss with Secretary Sabol. Mitchell is also to be copied on all EPA correspondence (outside agency) on this site. Will let Mitchell coordinate & give copies to other KDHE programs.

Rice was advised that many documents provided by Vulcan to EPA are alleged to be CBI & are still being treated as such. Vulcan was in to review files about 2 weeks ago; however all documents alleged as CBI are still being treated as CBI. CBI documents will hinder file review directed.

Rice directed that each division/program identify a contact on this site. Copies of all significant communications, correspondence, reports, etc. are to be sent to each division program contact. Tentatively the list of contacts (i.e. workgroup members) is:

Bill Rice, Deputy Director	Dave Tripp CNSL
Art Spratlin, ARTX	Ron Ritter CIGL
Karen Flournoy WSTM PERM	Rowena Micheals PBAF
Billy Fairless ENSV EMC	Ralph Langemeier WATR DRNK

These contacts will be responsible for advising & coordinating with other personnel in their division.

#### ASSIGNMENTS

Rice gave the following as assignments, on which progress/status is to be reported at next meeting:

ENSV is to develop air sampling plan on & offsite to determine if facility is releasing hazardous substances & if nearby residents may be exposed.

WATR/DRNK is to develop opinion re safety of private water supplies & carbon filters.

CDC should be asked to consider health study of neighboring residents. (This should also involve the State Vet, since citizens have alleged that livestock in vicinity are also threatened.)

WATR to evaluate need for NPDES permit at this facility. (Vulcan sent in application for overflow from runoff control ponds during flooding. Otherwise they do not discharge.)

RCRA & CNSL to determine which authority best used to regulate facility, principally the potential release of VOAs to air.

All programs to review KDHE & EPA files & report to PERM on releases from facility.

SPFD to complete HRS score/evaluation of site. Issue of CBI documents needs to be resolved with CNSL. Either get final determination that documents not CBI or go ahead & score site using CBI documents.

By next meeting each program is to have this done or have a schedule by which it will be done.

Rice  
8/26

## 8/26 Coordination Meeting

- Next Meeting: Mon 9/9 @ 1:30 pm
- Overview of RCRA permit requirements
- Scheduler: By next meeting -  
Hand-out &/or flip chart presentation  
by each program with approximate  
schedule of State/Federal Activities  
Eg:
  - UIC permit process
  - RCRA permit process
  - Superfund "scoring"
  - TSCA complaint resolution/permit
  - others?
- Other Issues - By next meeting - proposed  
approach and target dates for:
  - community relations approach
  - air
    - evaluate SRI report
    - approach to respond to citizens  
complaints: monitoring plan
    - sources of other air emissions?
    - how determine health impacts?
  - Drinking water / carbon filter protection?
  - health study - CDC?

State act  
to  
rough expi study  
by comm

backing  
→ exp.

develop air ment plan decide auth/jurisdiction

- CNSL? ←
- NPDES permit review/oversight
  - State/Federal authority to address
  - air releases
  - Others RCRA CAA

- Files Subcommittee - RCRA Branch Lead -  
Schedule & Approach for  
"characterize" State & Federal files

- Citizens Complaints → RRM

- response
- list of contacts
- distribution
- maintain originals

South Air/  
file Branch  
Org. / characterizing  
contact to  
Sommerman  
identify how KOHE  
prr files will  
be reviewed

consider  
citizen request  
far post well sampling  
Michael KOHE Council  
all corp.

contacts  
WATE  
ARTX  
WSTM  
ENSV  
CNSL  
KAF  
Spartan  
Tailors  
Supp.  
CIGL  
PBAF  
RND  
Ritter  
Michael  
Rice